

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CONSTANCE PETRACEK and
MICHAEL PETRACEK,**

Plaintiffs

v.

**NEW TEXAS LUNCH FAMILY
RESTAURANT,**

Defendant

: CIVIL ACTION NO. 1:09-CV-0435

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: (Judge Conner)

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ORDER

AND NOW, this 15th day of July, 2010, upon consideration of the uncontested motion (Doc. 22) to dismiss plaintiffs' claim for punitive damages, filed by defendant New Texas Lunch Family Restaurant, and concurred in by plaintiffs Constance Petracek and Michael Petracek, it is hereby ORDERED that the motion (Doc. 22) to dismiss plaintiffs' punitive damages claim, which appears at Count III of the complaint (Doc. 1), is GRANTED. Plaintiffs' claim for punitive damages is DISMISSED. FED. R. CIV. P. 41(a)(2).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge